IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

WP(C).No. 25950 of 2007(L)

PETITIONER:

KATTIVEETTIL MATHEW, PROPRIETOR,
S/O THOMAS, HOTEL SURYA, IRITTY,
KANNUR DISTRICT.

BY ADV. SRI.A.MOHAMED MUSTAQUE

RESPONDENTS:

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1. VILLAGE OFFICER,
KIZHOOR VILLAGE, KEEZHOOR,
KANNUR DISTRICT.

2. ADDITIONAL TAHSILDAR,
THALASSERY TALUK, THALASSERY,
KANNUR DISTRICT.

3. REVENUE DIVISIONAL OFFICER,
THALASSERY.

4. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, REVENUE DEPARTMENT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.25950 OF 2007

DATED THIS THE 24th DAY OF AUGUST, 2007

JUDGMENT

The petitioner was served with an order, Ext.P2 directing him to vacate the properties mentioned therein on the ground that the same is Government land. The petitioner has filed Ext.P3 appeal along with Ext.P4 affidavit in support of Ext.P5 petition for stay. The petitioner complains that the Appellate Authority is not considering the application for stay and in the meanwhile the proceedings have been initiated for eviction of the petitioner by coercive means. The petitioner, therefore, seeks stay of eviction pending disposal of the appeal.

2. I have heard the learned Government pleader also. In the facts and circumstance of the case, I dispose of this writ petition with the following directions.

The 3rd respondent shall consider Ext.P5 petition for stay as expeditiously as possible. Till disposal of Ext.P5 stay petition,the petitioner shall not be evicted from the property in question.

S. SIRI JAGAN, JUDGE

Acd